

PCT

Bayer HealthCare



To: Commissioner for Patents  
United States Patent and Trademark Office

Fax: (703) 746-4060 Pages: 10 (including cover)

Date: April 7, 2005

From: Susan M. Pellegrino

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RE: Application No. 10/501,105

**Attachments:**

- Response to Notification of Missing Requirements Under 35 U.S.C. 371 - [2 PAGES]
- Copy of Notification of Missing Requirements Under 35 U.S.C. 371 - [2 PAGES]
- Oath or Declaration of the Inventor(s) (35 U.S.C. 371 (c)(4)) - [4 PAGES]
- Certificate of Transmission under 37 CFR 1.8 - [1 PAGE]

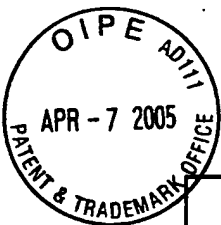
Bayer HealthCare LLC

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PTO/SB/97 (05-03)

Approved for use through 04/30/2003. OMB 0851-0031

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## Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on April 7, 2005  
Date

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Jill Durante

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400 Morgan Lane  
West Haven, CT 06516  
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### ATTACHMENT(S):

- Response to Notification of Missing Requirements Under 35 U.S.C. 371 - [2 Pages]
- Copy of Notification of Missing Requirements Under 35 U.S.C. 371 - [2 Pages]
- Oath or Declaration of the Inventor(s) (35 U.S.C. 371 (c)(4)) - [4 Pages]

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Rec'd PCT/PTO

7 APR 2005

Attorney Docket No. Le A 35 846

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

National Stage in the U.S. of

International Application No.: PCT/EP03/00052

International Filing Date: 01/07/2003

Application No.: 10/501,105

First Named Inventor: Martin Hendrix

Title: Phenyl Sulfoxides and Phenyl Sulfones



CERTIFICATION OF TRANSMISSION UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any papers referred to in this certificate as being attached, are being facsimile transmitted to the United States Patent and Trademark Office to facsimile number (703) 746-4060 on the date shown below.

Date: April 7, 2005

*Jill Durante*  
Signature of person certifying/Jill Durante

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371

This replies to the Notification of Missing Requirements under 35 U.S.C. 371 (Form PCT/DO/EO/905) mailed to applicants on 12/07/2004. A copy of Form PCT/DO/EO/905 is enclosed.

DECLARATION OR OATH

No declaration or oath was filed. Enclosed is the original declaration or oath for this application (35 U.S.C. 371 (c)(4)).

04/13/2005 MKAYPAGH 00000001 133372 10501105

01 FC:1617 130.00 DA

COMPLETION FEES

Surcharge fee for late filing of original declaration or oath (37 C.F.R. 1.492(e)) \$130.00.

04/13/2005 MKAYPAGH 00000001 133372 10501105

02 FC:1252 450.00 DA

**EXTENSION OF TIME**

The proceedings herein are for a patent application, and the provisions of 37 C.F.R. 1.136(a) apply. Applicant petitions for an extension of time, the other than small entity fee for which is set out in 37 C.F.R. 1.17(a)(2), for two (2) months.

Fee \$ 450.00

If an additional extension of time is required, please consider this a petition therefor.

**TOTAL FEE DUE**

The total fee due is:

Completion fees	\$ 130.00
Extension fee (if any)	\$ <u>450.00</u>
Total Fee Due	\$ 580.00

**PAYMENT OF FEES**

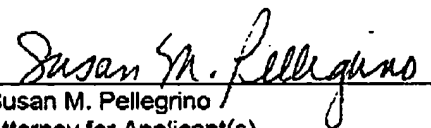
The Commissioner is hereby authorized to charge Deposit Account No. 13-3372 in the amount of \$580.00 for the matters indicated above. The Commissioner is also authorized to charge any additional fees, any underpayment of fees, and credit any overpayment to the above deposit account.

Respectfully submitted,

Date: April 7, 2005

Registration No. 48,972

Phone: (203) 812-6450

  
Susan M. Pellegrino  
Attorney for Applicant(s)  
Bayer Pharmaceuticals Corporation  
400 Morgan Lane  
West Haven, CT 06518-4175

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## UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/501,105	Martin Hendrix	Le A 35 846

35969  
 JEFFREY M. GREENMAN  
 BAYER PHARMACEUTICALS CORPORATION  
 400 MORGAN LANE  
 WEST HAVEN, CT 06516



INTERNATIONAL APPLICATION NO.	
PCT/EP03/00052	
IA FILING DATE	PRIORITY DATE
01/07/2003	01/16/2002

CONFIRMATION NO. 5642  
 371 FORMALITIES LETTER  
  
 \*OC000000014675198\*

Date Mailed: 12/07/2004

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/08/2004
- English Translation of the IA filed on 07/08/2004
- Copy of the International Search Report filed on 07/08/2004
- Preliminary Amendments filed on 07/08/2004
- Information Disclosure Statements filed on 07/08/2004
- Request for Immediate Examination filed on 07/08/2004
- U.S. Basic National Fees filed on 07/08/2004
- Priority Documents filed on 07/08/2004
- Power of Attorney filed on 07/08/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

**COPY**

Page 2 of 2

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 305-3653

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/501,105	PCT/EP03/00052	Le A 35 846

FORM PCT/DO/EO/905 (371 Formalities Notice)